

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BASURTO GABINO, :  
Plaintiff, :  
: 19 Civ. 4523 (LGS)  
-against- :  
: ORDER  
PEE DEE CORP., ET AL., :  
Defendants. :  
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, on September 4, 2020, the parties filed a letter motion for approval of a proposed settlement (Dkt. No. 63). It is hereby

**ORDERED** that the settlement agreement is **APPROVED** as fair and reasonable based on the nature and scope of Plaintiff's claims and the risks and expenses involved in additional litigation. *See Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 206–07 (2d Cir. 2015); *Wolinsky v. Scholastic, Inc.*, 900 F. Supp. 2d 332, 335–36 (S.D.N.Y. 2012) (outlining the factors that district courts have used to determine whether a proposed settlement is fair and reasonable).

It is further

**ORDERED** that Plaintiff's counsel's request for \$11,000.00, inclusive of reasonable attorneys' fees and costs, is **GRANTED**. The remainder of the settlement shall be distributed to Plaintiff. It is further

**ORDERED** that this action is dismissed without costs and without prejudice to restoring the action to the Court's calendar, provided the application to restore the action is made within thirty (30) days of this Order. Any application to reopen filed after thirty (30) days from the date of this Order may be denied solely on that basis. Any pending motions are DISMISSED as moot, and all conferences and deadlines are CANCELED.

Dated: September 14, 2020  
New York, New York

  
LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE